

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

BEFORE: JAMES M. WICKS, U.S. MAGISTRATE JUDGE

DATE: 04/03/2025

TIME: 1:30 PM

☐ SEALED PROCEEDING

CIVIL CAUSE FOR PRE-MOTION CONFERENCE
CASE: 2:24-cv-07096-JMW-VanderSloot v. Charles Baratta LLC

APPEARANCES:

For Plaintiff: Andrew Roman Perrong

For Defendants: Laura Kogan, David Krueger, Ruddy Abam

Court Reporter/FTR: 1:30-1:43 (Video)

THE FOLLOWING RULINGS WERE MADE:

- ☒ Pre-Motion Conference held on Counsel for Defendant's anticipated Motion to Dismiss Plaintiff's First Amended Complaint. Parties' arguments were heard regarding the proposed motion. The parties both agreed that a further amendment to the Amended Complaint would not address or resolve the issues raised on the motion.
- ☒ The following briefing schedule was entered: Defendant's Motion shall be filed on ECF by **May 2, 2025**, Plaintiff's Opposition papers shall be filed on ECF on by **May 30, 2025**, and Defendant's Reply shall be filed on ECF by **June 16, 2025**. The parties are directed to appear for Oral Argument on Defendant's Motion to Dismiss the Amended Complaint on **July 8, 2025 at 10:30 AM** at the United States District Court, Eastern District of New York, 100 Federal Plaza, Courtroom 1020, Central Islip, New York.
- ☒ Plaintiff stipulated on the record that on the current Amended Complaint only claims of direct liability under the Telephone Consumer Protection Act are sought and that it does not encompass a claim of vicarious liability. The parties' motion papers, accordingly, shall be addressed solely with respect to a direct liability claim.

THE PARTIES ARE REMINDED that audio or video recording of proceedings by any party other than the Court is strictly prohibited by Local Civil Rule 1.8. Violation of this rule may result in sanctions,

including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed appropriate by the Court.

SO ORDERED

/s/ James M. Wicks

JAMES M. WICKS

United States Magistrate Judge